

THE HOMICIDE OF MELVIN OLINGER
THE STATEMENT OF JASON HOLMES

Code to person speaking in statement:

- Q. Police Specialist David Feldhaus
Cincinnati Police Homicide Unit
- QQ. Detective Michael Tiernan
Cincinnati Police Homicide Unit
- A. Jason Holmes

NOTE: Inaudible portions of statement are indicated by dashes.

Q. OKAY TODAY'S DATE IS JANUARY 21ST, 1994. THE TIME IS 0350 HOURS. MY NAME IS SPECIALIST DAVE FELDHAUS WITH THE CINCINNATI POLICE HOMICIDE UNIT. WITH ME IS DETECTIVE MIKE TIERNAN, THAT'S T-I-E-R-N-A-N. UH, OFFICER TIERNAN IS WITH THE FAIRFIELD POLICE DEPARTMENT. WE'RE INTERVIEWIN' A JASON TERRELL HOLMES, THE SPELLING OF HIS LAST NAME IS H-O-L-M-E-S. MR. HOLMES IS A MALE BLACK, 16, WITH A DATE OF BIRTH OF 12/3/77. UH, JASON RESIDES AT 7853 CLOVERNOOK. HAS A PHONE NUMBER OF 522-5069. HE ATTENDS MT. HEALTHY HIGH SCHOOL. UH, JASON HOLMES IS BEING INTERVIEWED IN REFERENCE TO THE DEATH OF UH, MELVIN OLINGER. UH, MR. OLINGER WAS A MALE WHITE, 53. UH, HE WAS ABDUCTED FROM FAIRFIELD AN' UH, SHOT IN CUMMINSVILLE ON JANUARY 14, 1994. OKAY UH, JASON BEFORE WE GET STARTED HERE, I'M

003291

SHOWING YOU A PIECE OF PAPER AN' UH, THE PIECE OF PAPER IS THE UH, A FORM OF MIRANDA RIGHTS FORM. UH, THIS FORM WAS READ TO YOU... YOUR MIRANDA RIGHTS WAS READ TO YOU RIGHT, READ TO YOU IS THAT CORRECT?

A. YEAH.

Q. OKAY SPEAK UP NOW.

A. YES.

Q. OKAY AN' YOU INDICATED TO THE OFFICERS THAT YOU UNDERSTOOD YOUR RIGHTS IS THAT CORRECT?

A. YES.

Q. AN' YOU ALSO SIGNED YOUR NAME INDICATING THAT YOU UNDERSTOOD YOUR RIGHTS IS THAT CORRECT?

A. YES.

Q. AN' DOWN BELOW YOU SEE YOUR SIGNATURE, IS THAT YOUR SIGNATURE.

A. YES.

Q. OKAY. JASON WHAT I WANT YOU TO DO IS JUST, WE'RE GONNA GO BACK TO THE BEGINNIN' OF WHAT YOU KNOW ABOUT UH, THIS MAN'S DEATH AN' HOW YOU GOT INVOLVED AN', AN' WHAT YOUR PART IN IT WAS AN', AN' WHAT YOU KNOW ABOUT IT. AN' I WANT YOU TO TALK SLOWLY AN' TRY AN' PRONOUNCE YOUR WORDS AN' IF THERE'S ANYBODY ELSE INVOLVED IN THIS, I WANT YOU TO NAME THEIR NAMES AS COMPLETELY AS YOU CAN OKAY. I NEED FIRST NAME AN' LAST NAME. ALRIGHT, SO JUST START AT THE BEGINNIN' OF WHAT YOU KNOW ABOUT IT.

A. A COUPLE OF DAYS...

003292

Q. SPEAK UP.

A. A COUPLE OF DAYS BEFORE WE FINALLY WENT OUT AN' DID IT. WE WAS TALKIN' ABOUT GETTIN' A CAR, AN' WE KNEW, MY AUNT LIVE IN HAMILTON.

Q. NOW YOU'RE SAYIN' WE, NOW WHO IS WE?

A. ME AN' LEE.

Q. LEE WHO?

A. LEE MOORE.

Q. OKAY.

A. WE WAS TALKIN' ABOUT GOIN' TO GET A CAR AN' MY AUNT LIVE IN HAMILTON AN' IT'S OUT OF CINCINNATI, OUT OF HAMILTON COUNTY SO WE FIGURED THAT WOULD BE THE BEST PLACE TO GET ONE BECAUSE THEY CAN'T FIND THEY CAR REAL QUICK. SO WE RODE, SO WE RODE TO UH, TO HAMILTON, HAMILTON OHIO ON THE 14TH.

Q. NOW WHO'S, WHO RODE UP THERE, YOU AN' LEE MOORE.

A. ME AN' LEE.

Q. NOW IS THAT LEE MOORE.

A. LEE MOORE, COMIN' FROM MY HOUSE, WE RODE UP TO HAMILTON.

Q. OKAY WHAT CAR WERE YOU IN.

A. IN LEE'S FAIRMOUNT.

Q. OKAY.

A. WE WENT UP TO HAMILTON, SEEN MY GIRLFRIEND, SHE LIVE WITH MY AUNT. I SAID HI AN' EVERYTHIN' BYE, WE LEFT. AN' WE WAS ROLLIN' BACK TO CINCINNATI, STILL LOOKIN' FOR A CAR. AN' OUR CAR STARTED SMOKIN', THE FAIRMOUNT

STARTED SMOKIN'. UH, WE WAS, HE WIPED THE ENGINE OFF CAUSE IT HAD OIL ON IT. AN' THEN WHILE HE WAS, WHILE HE WAS WIPING THE ENGINE OFF, AN' BY TIME HE WAS FINISHED, A CAR DROVE PAST, A TAURAS, FORD TAURAS WITH MICHIGAN LICENSE PLATE.

Q. MICHIGAN YOU'RE SAYIN'.

A. YEAH, MICHIGAN.

Q. OKAY.

A. SINCE IT WAS FROM MICHIGAN WE AIN'T THINK HE WOULD BE ABLE TO GET THE CAR, NOTHIN' LIKE THAT IF, IF WE HAD TOOK IT. SO ...

Q. WHAT DID YOU JUST SAY, I DON'T UNDERSTAND WHAT YOU SAID.... SINCE IT'S MICHIGAN WHAT?

A. SINCE WE, SINCE HE WAS FROM MICHIGAN, WE THINK HE WAS FROM MICHIGAN, WE WAS GONNA TAKE THE CAR.

Q. OKAY.

A. AN' THEN WE UH, SEEN 'IM, WE SEEN, WE WATCHED HIM ROLL DOWN, DOWN TO SOME KIND OF PLACE THAT OTHER PEOPLE WAS GOIN' INTO BUT NOT AT LARGE AMOUNTS. IT WAS JUST ONE, ONE PERSON AT A TIME LIKE THAT. AN' HE HAD WENT IN BY HIS SELF. SO UH, WE SEEN HIM GO IN AN' WE DROVE DOWN THERE TO WHERE HE WAS AN' RIGHT ACROSS FROM 'IM AN' PARKED THE CAR THE SAME WAY HE PARKED HIS CAR. AN' THEN HE UH,

Q. WHAT WAY DID YOU PARK IT THERE WERE YOU GONNA WAIT FOR HIM.

A. YEAH WE WAS JUST WAITIN'.

003294

Q. OKAY THEN DID YOU HAVE A GUN OR ANYTHIN'.

A. I AIN'T HAVE NOTHIN'.

Q. DID, DID LEE HAVE A GUN.

A. YES.

Q. OKAY. NOW WHILE YOU'RE WAITIN' FOR HIM, WHAT WERE YOU DISCUSSING.

A. WHAT WE WAS GONNA DO WITH THE MAN. WHAT HE WAS GONNA DO WITH THE MAN...

Q. ALRIGHT WHAT WAS, WHAT WAS SAID?

A. HE SAID DAMN WHAT IS WE GONNA DO. WHAT, WHAT I'M UH, DO WIT' 'IM. AN' I AIN'T HAVE NO SUGGESTIONS SO HE WAS LIKE ALRIGHT, I'M UH JUST WALK UP AN' I'M UH, AN' THEN I'M UH TELL HIM TO SCOOT OVER. HE'S LIKE, AN' I'M GONNA TAKE HIM TO A DARK PLACE AN' MAKE HIM GET IN THE TRUNK. AN' ANOTHER THING I GOTTA TELL YA'LL, TELL YOU AN' HIM, UH, DAMN, OH LEE TOLD THAT MAN HE WASN'T GONNA DIE. HE TOLD HIM IF, IF HE COOPERATED HE WAS GONNA BE ALRIGHT. SO THAT MAN HE FIGURE HE WASN'T, HE WASN'T GONNA DIE, HE WAS GONNA COOPERATE COMPLETELY. HE HID HIS TWO MOST EXPENSIVE CREDIT CARDS. I THINK IT WAS AMERICAN EXPRESS. IT WAS JUST A GREEN ONE, THE MONEY GREEN ONE WITH THE UH -- ON IT. AN' ANOTHER ONE, I DON'T KNOW WHAT IT WAS CALLED. HE HID 'EM UP UNDER THE TIRE --. LEE DIDN'T FIND UNTIL TUESDAY, MONDAY OR TUESDAY.

Q. OKAY.

A. BACK TO THE STORY...

003295

Q. ALRIGHT SO NOW YOU GUYS ARE OUT THERE IN THE PARKIN' LOT WAITIN' FOR HIM. YOU'RE DISCUSSIN' WHAT YOU'RE GONNA DO BEFORE HE CAME OUT.

A. UH HUH.

Q. WHAT WAS, WHAT WAS BEIN' SAID?

A. LEE ASKED ME DID I, WAS I SURE I KNEW HOW TO ROLL, KNEW HOW TO DRIVE A CAR. I TOLD HIM YEAH, CAUSE I WANTED TO DRIVE IT ANYWAY. SO WE WAS JUST DISCUSSIN' LIKE WHAT, WHAT HE GONNA DO. AN' HE WAS LIKE I'M UH JUST PUT HIM IN THE TRUNK. HE WAS LIKE MAN, I'M JUST GONNA HAVE TO THINK ABOUT IT. AN' SOONER OR LATER, ABOUT FORTY-FIVE MINUTES LATER, THE MAN CAME OUT.

Q. WELL DID YOU DISCUSS SHOOTIN' HIM?

A. UN UN, NOT REALLY...

Q. KILL HIM.

A. WE AIN'T TALK ABOUT IT TOO MUCH BUT LEE HAD THE GUN, SAYIN', HE KNOW HE GONNA HAVE TO USE IT. --- KNOW. HE AIN'T SAY EXACTLY WHERE HE WAS GONNA SHOOT HIM OR NONE OF THAT.

Q. WELL YOU TOLD, BEFORE WE WENT ON TAPE HERE, YOU TOLD ME UH, YOU DISCUSSED HOW YOU WERE GONNA GET, GET HIM. YOU SAID YOU WERE....

A. POP HIM.

Q. PUT HIM IN THE TRUNK AN' UH, FIND SOMEWHERE, A GOOD PLACE TO POP HIM.

A. THAT'S WHAT WE COULDN'T DECIDE WHERE WE WAS GONNA SHOOT HIM.

003296

Q. OKAY SO YOU JUST COULDN'T.... YOU, YOU PLANNED ON POPPIN' 'IM OR SHOOTIN' HIM BUT YOU JUST DIDN'T KNOW WHERE TO SHOOT HIM RIGHT.

A. YEAH.

Q. OKAY, WELL THAT'S WHAT I'M....

A. NOT ME, UH NOT ME.

Q. BUT WHO IS DOIN' THIS NOW LEE?

A. LEE.

Q. SO LEE'S, LEE'S WHOLE INTENTION WAS TO PUT HIM IN THE TRUNK AN' SHOOT HIM BUT YOU JUST DIDN'T KNOW WHERE.

A. YEAH AN' HE KNEW I WASN'T DOWN TO SHOOT HIM, THAT'S WHY HE DROP ME OFF AN' GOT LARRY.

Q. OKAY SO NOW HE COME, THE GUY COMES OUT.

A. HE CAME OUT, THEY WAS LIKE THERE HE GO. AN' THEN HE TURNED ON THE CAR, HE GOT OUT AN' WALKED AROUND. HE WALKED UP AN' WALKED, WALKED.... WALKED OUT HIS DOOR AN' WENT STRAIGHT UP TO HIM, AN' I DON'T KNOW WHAT HE SAID. THE CAR WAS ON. THE CAR AIN'T LOUD BUT HE WALKED OVER TO HIM, I KNOW HE SHOWED HIM THE GUN CAUSE IF HE DIDN'T THE MAN PROBABLY WOULDN'T OF LISTEN TO 'IM.

Q. UH HUH.

A. HE UH, THE MAN HAD SCOOTED OVER, SCOOTED OVER IN THE CAR, GOT IN THE PASSENGER SIDE, I MEAN, THE DRIVER SIDE. SCOOTED OVER TO THE PASSENGER SIDE AN' THEN LEE GOT IN BEHIND HIM, SHUT THE DOOR AN' THEY RODE OFF. BY THAT TIME I WAS JUST GONE, I RODE OFF, WENT OUT ON

003297

PLEASANT RODE ALL THE WAY DOWN, NO TURN, STRAIGHT. NO TURNS. JUST GOIN' ALL THE WAY STRAIGHT WENT INTO HAMILTON. AN' I TURNED DOWN UH, INSTEAD OF TURNIN' DOWN ADAMS ROAD, I WENT THROUGH UDF BECAUSE THE LIGHT WAS RED, OR IT WAS GONNA BE TURNIN' RED SOON. SO I WENT THROUGH THERE AN' LEE WAS AT THE RED LIGHT. AN' BY TIME I CAME OUT OF THE PARKIN' LOT OF UDF, LEE WAS BEHIND ME AN' I, AN' I AIN'T REALLY NOTICE 'IM TO HARD, I JUST NOTICED IT WAS A BROWN, A BLUE CAR BEHIND ME. AN' THEN I RODE ALL THE WAY UP TO UH, GLOVERNOOK, I TURN, AN' THAT'S WHEN I REALLY NOTICED IT WAS LEE CAUSE HE HAD STOP TOO. AN' I RODE INTO MY COURT, CAUSE IT'S THE FIRST ONE COMIN' FROM, COMIN' OFF OF ADAMS ONTO CLOVERNOOK. I RODE IN MY COURT, PARKED THE CAR AN' GOT OUT. AN' I WAS LIKE WHERE THE MAN AT. HE WAS LIKE, LOOKED AT THE TRUNK, HE WAS LIKE HE IN THE TRUNK.

Q. NOW LEE IS TELLIN' YOU THIS.

A. YEAH.

Q. OKAY.

A. AN' LEE, UH, HE WAS JUST OUTSIDE, JUST LOOKIN' AT THE CAR AN' STUFF, LOOKIN' IN AN' OUT OF IT, CHECKIN' IT OUT. I WENT IN THIS LADY NAME ANGEL HOUSE. LARRY WAS IN THERE WITH MY SISTERS AN' KEISHA AN' SHAWNY. AN' HER, ANGEL'S THREE LIL' KIDS. AN' THE KIDS WAS PLAYIN' ON THE FLOOR. AN' LARRY WAS, LARRY THE ONE WHO HAD ANSWERED THE DOOR, SO I TOLD HIM WHEN I GO OUTSIDE LOOK WHAT LEE GOT. YOU KNOW WHAT I'M SAYIN', HE KNEW IT WAS

003298

THE CAR. SO LARRY WENT OUT, HE GAVE A COUPLE OF COMPLIMENTS AN' THEN...

Q. WHO LARRY DID?

A. YEAH.

Q. LIKE WHAT, WHAT DID HE SAY?

A. LIKE OH, THAT'S FRESH, THAT'S TIGHT. AN' THEN UH, LEE WAS LIKE I'M FINNA BAIL, OR SOMETHIN' HE TOLD LARRY SOMETHIN' ABOUT HE WAS FINNA LEAVE. LARRY CAME AN' TOLD ME LIKE, I'M FINNA GO WITH LEE ALRIGHT. LIKE YEAH COOL. THEN LARRY AN' LEE LEFT. LARRY AN' LEE LEFT. AN' NEXT TIME I SEEN HIM, I WAS LAYIN' ON THE COUCH, AN' THEY HAD, LARRY HAD SHOOK THE DOOR KNOB SO I HAD GOT UP QUICK, WALKED AROUND AN' OPEN THE DOOR, UNLOCKED THE DOOR, HE WALKED IN. AN' THEN LIKE WHERE HE AT. CUMMINSVILLE. THAT'S WHAT LARRY TOLD ME. I WENT UPSTAIRS GOT IN MY BED. WENT UPSTAIRS AN' GOT IN MY BED. THE NEXT DAY, WE WOKE UP AROUND TEN O'CLOCK. LARRY HAD SET MY SISTER'S ALARM O'CLOCK IN THEY ROOM CAUSE THAT'S WHERE HE BE SLEEPIN' AT...

Q. UH HUH.

A. AN' THEY WASN'T THERE ANYWAY, THEY SPENT THE NIGHT OVER ANGEL'S. LARRY UH, LARRY AN' LEE HAD WENT TO UH, THEY WENT TO NORTHGATE...

Q. UH HUH.

A. AN' TRI COUNTY MALL. WE CAME BACK...

Q. WHICH, WHICH STORES THERE.

A. JC PENNY.

003299

Q. DID THEY HAVE, THEY HAVE CREDIT CARDS TO USE OR SOMETHIN'. IS THAT WHY THEY WENT THERE OR WHAT?

A. LEE HAD A JC PENNY CARD AN' A GAS STATION CARD, THAT'S THE OTHER CARD I COULDN'T REMEMBER IT. IT WAS A SHELL, I THINK, HE HAD A SHELL CARD. AN' HE WAS FILLIN' UP THE TANK, EVERY CHANCE HE GOT, WALK UP, FILL UP THE TANK AN' ALL THAT. AN'

Q. SO HE'S USIN' UH, HIS SHELL GAS STATION CARD.

A. YEAH.

Q. WHO WAS LARRY?

A. NO, LEE.

Q. LEE. OKAY.

A. AN' LEE HAD HIS, THE, THE FAIRMOUNT WAS PARKED OUTSIDE ALL THE TIME WHILE HE WAS ROLLIN' THE NEW CAR. AN' LEE AN' LARRY WENT, THEY WENT SHOPPIN', LEE CAME BACK, SAID HE HAD TO MAKE A FEW RUNS. HE DROPPED LARRY OFF. ME AN' LARRY WAS IN THE HOUSE WAITIN' ON MOMMA. WE CALL MY MOM AN' TOLD 'ER WE, THAT WE WANTED TO GO TO THE MALL, TO TRI COUNTY MALL. SO SHE TOOK US UP THERE, SHE AIN'T KNOW FOR WHAT, SHE JUST TOOK US UP THERE. WE HAD THAT CREDIT CARD, THE JC PENNY CARD.

Q. WHO, WHO GAVE YOU THAT CARD?

A. LEE.

Q. IS THAT THE ONLY ONE HE GAVE YOU.

A. UH, NO HE GAVE ME A MARATHON CARD BUT I COULDN'T USE IT BECAUSE I AIN'T HAVE NO CAR.

Q. OKAY SO YOU GET TWO CARDS, THE JC PENNY AN' A MARATHON.

003300

A. HE GAVE ME THE MARATHON, UH EARLIER THAT DAY. IT WAS JUST THERE.

Q. OKAY. SO NOW YOU AN' LARRY GOT THE JC PENNY CARD YOU HAVE YOUR MOM...

A. YEAH MY MOM...

Q. DRIVE YOU OUT TO TRI COUNTY OR NORTHGATE.

A. TRI COUNTY.

Q. TRI COUNTY AN' THEN WHAT HAPPENED.

A. THE CARD WOULDN'T WORK, I TRIED TO BUY SHOES AN' THEN I WENT CHEAPER TRIED TO BUY A HOOD....

Q. WITH HIS CREDIT CARD.

A. YEAH.

Q. OKAY.

A. AN' ANYWAY IT WOULDN'T GO THROUGH SO I TRIED TO BUY A HAT, IT WOULDN'T GO THROUGH, SO I TRIED TO BUY A LIL' VASE, A LIL' GLASS VASE, IT WOULDN'T GO THROUGH. SO ME AN' LARRY HAD....

Q. NOW WHAT WERE THEY TELLIN' YOU, WHAT DO YOU MEAN IT WOULDN'T GO THROUGH.....

A. ALL THE CREDIT WAS UH, RAN OUT. ALL THE CREDIT WAS GONE.

Q. OKAY.

A. CAUSE LEE SPENT A THOUSAND DOLLARS.

Q. OKAY. SO THEY TOLD YOU IT WASN'T NO MORE CREDIT ON THE CARD.

A. UH HUH.

Q. AN' WHAT DID YOU DO THEN.

003301

A. I JUST GOT MAD. SO I, BUT I, FIRST I HAD FOLDED THE CARD, AN' THEN I WAS FOLD IT SO MUCH AN' THEN I JUST BROKE IT, BROKE IT IN HALF.

Q. DID YOU ASK FOR EXTRA CREDIT, DID YOU TRY TO GET EXTRA CREDIT.

A. YEAH, TRIED TO GET EXTRA CREDIT, THIS LADY...

Q. NOW HOW DID YOU DO THAT.

A. I, HOLD, HOLD ON THIS HOW, A LADY IN THE STORE THAT I TRIED TO BUY FROM THE VASE, SHE, SHE SUGGESTED THAT I GO UPSTAIRS TO UH, CREDIT, TO SEE IF I COULD GET THE CREDIT RAISE. AN' I WAS LIKE ALRIGHT, I WENT UP THERE AN' TRIED IT, IT WOULDN'T WORK ON ONE OF 'EM PHONES CAUSE THE PHONES WAS BROKE. SO A LADY, ANOTHER YOUNG LADY CAME UP AN' PRESSED IN SOME NUMBERS. AN' SHE ASKED ME UH, THE LADY ON THE OTHER END WAS LIKE, SHE WAS ASKIN' ME QUESTIONS. SHE WAS LIKE ARE YOU UH MELVIN OLINGER. AN' I WAS LIKE NO. AN' SHE WAS LIKE WELL, IF YOU, YOU HIS NEPHEW, YOU HAVE TO DO IT. AN' SAID LIKE YOU CAN'T DO IT BY YOURSELF OR IT'S CALLED FRAUD, SOMETHIN' LIKE THAT.

Q. THIS IS A PERSON ON A PHONE OR SOMEBODY YOU'RE TALKIN' TO.

A. PERSON ON THE PHONE.

Q. OKAY SO YOU BASICALLY, YOU BASICALLY SAID YOU WERE THIS, THE UH, GUY'S NEPHEW.

A. UH HUH.

Q. AN' THEY WOULDN'T GIVE YOU ANY CREDIT BECAUSE IT HAS TO BE THE PERSON ON THE CARD RIGHT.

Q. RIGHT.

A. SO SHE TOOK ME HOME, WE ATE. WE DID SOME LIL' STUFF WE GOT, WE GOT SOMETHIN' TO EAT. UH, SHE HAD LEFT, HER BOYFRIEND CALLED AN' TOLD HER TO PICK HIM UP FROM WORK. SO LATER ON THAT NIGHT, LEE CAME OVER AN' WE JUST CHILLED SOME MORE, WE JUST TALKED....

Q. TALKIN' ABOUT WHAT HAPPEN...

A. NO LEE WAS TALKIN' ABOUT WHAT HE WAS GONNA DO WITH THE CAR, THE PLAN.

Q. WHAT WAS THE PLANS TO DO WITH THE CAR?

A. GET IT PAINTED AN' PUT SOME RIMS ON IT. SOME TIRES, SOME NEW, SOME NEW RIMS.

Q. OKAY. AN' WHERE WAS THE GUN AT?

A. UH RIGHT THEN IT WAS UP UNDER MY UH, THE SEAT IN MY ROOM.

Q. IT WAS...

A. IT WAS THERE ALL THE TIME EVERY SINCE, EVERY SINCE UH DUDE, THE MAN GOT KILLED. THAT'S WHERE THE GUN WAS JUST SITTIN'.

Q. YOU WERE HIDIN' GUN IN, IN, UNDER A SEAT IN YOUR ROOM.

A. UNDER THE PILLOW.

Q. OKAY AN' THEN UH, WERE THE BULLETS ALL IN THE GUN...

A. UH HUH. ALL FIVE SHELLS.

Q. AN' UH, YOU SAID YOU WERE, YOU TOLD ME BEFORE YOU WERE GONNA TRY AN' SELL THE GUN.

A. TO RON.

Q. RON WHO?

A. YES.

Q. OKAY SO THEN, WHAT DID YOU DO, TEAR, TEAR THE CARD UP.

A. YEAH AN' THEN I, AN' THEN I HAD WENT OUTSIDE AN' WAITED FOR MY MOM. MY MOM CAME UP, I TOLD HER...

Q. NOW WAIT A MINUTE, BACK, LET'S GO BACK. DID LARRY TRY, WHAT DID LARRY TRY TO BUY.

A. HE HAD STUFF IN HIS HANDS BUT I WANTED TO MAKE SURE, HE AIN'T NEVER GET TO TRY TO CHARGE IT. I TOLD HIM LIKE, LET, I WAS LIKE LET ME UH, LET ME SEE IF THIS GONNA WORK FIRST.

Q. WHAT -- --.

A. I WANTED 'EM HOODS, SWEATSHIRTS.

Q. OKAY. SO HE WAS GONNA TRY TO BUY THAT BUT IT WOULDN'T, CAUSE THE CREDIT WOULDN'T WAS ALL...

A. YEAH HE AIN'T EVEN GET TO TRY TO SEE IF THE CREDIT WAS GONNA GO ON THOSE. I HAD TRIED SOME -- -- CAUSE I PROBABLY.... I HAD, I HAD FIGURED IT PROBABLY WASN'T GONNA WORK CAUSE AN' LEE SPENT OVER A THOUSAND DOLLARS ON IT EARLIER THAT DAY.

Q. OKAY. SO NOW YOU, YOU TEAR THE CARD UP.

A. UH HUM.

Q. YOU GO HOME.

A. PUT THE CARD IN MY POCKET, THE TORE UP THE CARD IN MY POCKET. MY MOM TAKE ME HOME. I JUST TOLD HER LIKE, I, I PUT SOME CLOTHES IN LAYAWAY. I PLANNED ON DOIN' IT. I HAD SOME MONEY IN MY POCKET. BUT I DIDN'T WANT TO SPEND MY MONEY.

003304

A. CHAMBERS. HE WAS GONNA BUY IT.

Q. DID YOU GIVE HIM ANYTHIN'.

A. SHELLS.

Q. YOU GAVE HIM THE SHELLS.

A. I GAVE HIM THE FIVE SHELLS THAT WAS LEFT. ESPECIALLY WHEN WE KNEW THE POLICE WAS LOOKIN' FOR IT, FOR THE CAR AN' THE GUN AN' THEY FOUND DUDE, THEY FOUND A MAN. SO I WAS GONNA GET RID OF ALL OF THAT.

Q. THEN WHAT HAPPENED TONIGHT.

A. WHAT HAPPENED?

Q. WHERE'S THE GUN AT NOW?

A. THE GUN SITTIN', WAS SITTIN' AT... OH WHERE'S IT AT NOW?

Q. YEAH.

A. IN, IN THE NEXT YARD BEHIND MY COMPLEX.

Q. EXPLAIN HOW IT GOT THERE, WHAT HAPPENED?

A. I WALKED OUT THE HOUSE AN' JUST THREW IT...

Q. I MEAN WHY DID YOU SEE SOMETHIN' OR WHAT?

A. CAUSE I SEEN THE POLICE, THE POLICE WAS SITTIN' IN FRONT OF MY HOUSE AN' I AIN'T WANT TO BE THE ONE CAUGHT WITH THE GUN IN MY HOUSE CAUSE, MY MOM LIKE WHERE WE LIVE AT NOW. AN' SHE SAID WE CAN GET EVICTED. AN' SHE SAID WE STILL CAN GET EVICTED FOR THE POLICE UH, HAVIN' TO, HOW, WHAT DID THEY DO TO OUR HOUSE.

Q. A SEARCH WARRANT.

A. A SEARCH, FOR HAVIN' TO SEARCH OUR HOUSE.

Q. DID YOUR MOM KNOW THAT GUN WAS IN THERE...

003305

A. UN UN.

Q. SO YOU SAW THE POLICE TONIGHT, SITTIN' IN FRONT OF YOUR HOUSE. SO YOU KNEW THE GUN WAS UPSTAIRS SO YOU WENT UP THERE AN' ...

A. YEAH...

Q. THREW IT OUT THE BACK WINDOW SO THEY COULDN'T FIND IT.

A. YEAH. AN' ALSO THEY COULDN'T FIND IT, JUST TO GET IT AWAY FROM OUR HOUSE. CAUSE I HAD WIPE IT OFF TOO.

Q. WHY WAS IT AT YOUR HOUSE?

A. I, I DON'T EVEN KNOW. LEE JUST BRING IT OVER THERE.

Q. WHY WERE YOU GONNA SELL THE GUN TO UH, THIS RON CHAMBERS.

A. CAUSE RON GOT MONEY AN' I, IF I COULDN'T DO NOTHIN' ELSE WITH IT, I WAS GONNA AT LEAST PROFIT OFF OF IT. LEE WOULDN'T OF NEVER KNEW, HE AIN'T WON'T THE GUN NO MORE.

Q. SO YOU WANTED, YOU WANTED TO GET SOME PROFIT OFF THE GUN.

A. YEAH.

Q. HOW COME YOU DIDN'T, HOW COME YOU DIDN'T GO WITH UH, WHEN UH, AFTER YOU KIDNAPPED THE GUY AN' BROUGHT HIM BACK TO YOUR HOUSE IN THE TRUNK...

A. UH...

Q. HOW COME YOU DIDN'T GO WITH HIM.

A. I DIDN'T WANT IT TO HAUNT ME.

Q. HUH?

003306

A. I AIN'T WANT IT TO HAUNT ME. I AIN'T SEE HIM, I AIN'T SEE HIS FACE, I AIN'T SEE 'IM REAL CLEAR, I JUST KNOW HE HAD ON A BLACK JACKET.

Q. WHAT, WHAT DIDN'T YOU WANT TO HAUNT YOU.

A. HIM, CAUSE I KNOW HE WAS GONNA DIE.

Q. YOU KNEW HE WAS GONNA DIE.

A. YEAH.

Q. DID YOU THINK LARRY WAS GONNA SHOOT HIM OR DID YOU THINK LEE WAS GONNA SHOOT HIM...

A. UN UN.

Q. DID LARRY EVER TALK ABOUT SHOOTIN' HIM.

A. LARRY WAS GONNA, LARRY WAS TALKIN' ABOUT SHOOTIN' TO PROVE HE WAS DOWN.

Q. WHEN DID HE TALK ABOUT THAT.

A. UH PLENTY OF TIMES.

Q. BEFORE ALL THIS OR AFTER THIS.

A. BEFORE ALL THIS. HE WAS, HE WAS ALWAYS TALKIN' ABOUT HE WAS DOWN BUT, BUT DIDN'T NOBODY BELIEVE HIM CAUSE HE LOOK, CAUSE HE LOOK LIKE HE AIN'T GONNA DO NOTHIN' LIKE THAT.

Q. UH HUH.

A. AN' HE WANTED TO PROVE TO THEM THAT HE WAS DOWN. AN' IF HE WOULD OF ASKED, LEE PROBABLY WOULD OF LET HIM SHOOT HIM.

Q. YOU THINK, DID LARRY SAY HE WANTED TO SHOOT HIM.

A. UN UN. I AIN'T HEAR HIM SAY THAT.

Q. OKAY. IF UH, IF YOU KNEW LEE'S INTENTION WAS TO SHOOT HIM, WHY DID YOU GO ALONG WITH KIDNAPPING HIM.

003307

A. CAUSE I FIGURE THAT'S ALL I, THAT'S THE ONLY PART I'LL HAVE IN IT. THAT'S ONLY, THAT'S THE ONLY TIME I EVER SEEN THAT MAN WAS WHEN HE GOT IN THE CAR WITH HIM. ALL, ALL LEE NEEDED, HE AIN'T REALLY, ALL HE NEEDED ME WAS FOR TO DROP HIS CAR BACK TO MY HOUSE. THAT'S ALL I THOUGHT I WAS GONNA HAVE TO DO WITH IT.

Q. WHY WERE YOU GONNA DO THAT.

A. SHHHH, CAUSE I THOUGHT IT WAS GONNA BENEFIT ME CAUSE...

Q. WHY WOULD IT BENEFIT YOU...

A. IF LEE HAD A NEW CAR, RIGHT. IF LEE HAD A NEW CAR. I THOUGHT HE WAS GONNA LET ME ROLL HIS FAIRMOUNT. AN' I CAN JUST RODE AROUND YOU KNOW WHAT I'M SAYIN' SEE, SEE OTHER PEOPLE, GO TO DIFFERENT NEIGHBORHOODS WITHOUT CATCHIN' A BUS.

Q. OKAY SO WHAT YOU'RE SAYIN' IS YOU WENT ALONG WITH IT KNOWING THAT LEE WAS GONNA KIDNAP AN' KILL HIM BUT YOU WEREN'T GONNA DO THE SHOOTIN'

A. AN' I ---

Q. THINKIN' THAT HE WOULD HAVE HIS CAR AN' THEN LEE WOULD GIVE YOU HIS OLD CAR RIGHT.

A. YEAH CAUSE THAT'S THE WHOLE, THAT, THAT'S WAS THE PLAN FOR HIM TO LET ME UH DRIVE HIS FAIRMOUNT. AN' HE AIN'T EVEN FOLLOW THROUGH WITH IT REALLY. HE SAID I'M UH, GET THE FAIRMOUNT FIXED THEN YOU CAN ROLL AN' I AIN'T KNOW HOW LONG IT WAS GONNA TAKE FOR 'EM TO GET THAT CAR FIX.

003308

Q. DON'T YOU THINK THAT'S A LIL' DRASTIC HAVIN' TO KILL SOMEBODY TO GET THEIR CAR SO YOU CAN HAVE A SET OF WHEELS.

A. I, IT WASN'T MY PLAN.

Q. YEAH BUT YOU KNEW WHAT WAS GONNA HAPPEN.

A. SHHH, I, THAT WAS, YEAH I DID. I DID, I KNEW WHAT...

Q. YEAH.

A. WAS GONNA HAPPEN.

Q. DON'T YOU THINK THAT'S A LITTLE DRASTIC TO GO, DON'T YOU THINK THAT'S A LIL' FAR TO GO TO GET A CAR.

A. YEAH.

Q. HUH.

A. YEAH. BUT HE, HE -- ---

Q. WHY DID YOU DO THAT THEN?

A. HUH?

Q. WHY WOULD YOU DO THAT.

A. SHHHH, I AIN'T HIP, I AIN'T HIP. I DON'T REALLY KNOW WHY. I DON'T HAVE NO REASON. LONG AS I, I FIGURE LIKE THIS, LONG AS I WASN'T THE ONE THAT SHOT HIM, AN' I DIDN'T TOUCH HIM OR NOTHIN' LIKE THAT. ALL I DID WAS ROLL THE OTHER CAR, THEN I WOULDN'T HAVE NOTHIN' TO DO WITH IT. AN' I ROLLED IN HIS CAR A COUPLE OF TIMES. THAT'S ALL I DID.

Q. YEAH BUT YOU DROVE HIS CAR BACK, YOU KNEW WHAT HE WAS GONNA DO.

A. SHHHH, YOU SEE, I GOT OUT OF THE CAR, TURNED IT OFF GAVE HIM HIS KEYS...

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Q. YEAH.

A. THEN I WENT IN THE HOUSE.

Q. BUT YOU KNEW WHAT HE WAS GONNA DO THOUGH RIGHT.

A. YEAH.

Q. HOW COME... ONCE YOU KNEW HE WAS GONNA KILL HIM, YOU JUST SAY HEY LET ME OUT OF IT.

A. I WAS OUT OF IT AFTER THAT POINT. AFTER I, AFTER HE DROP ME OFF.

Q. OKAY, ANYTHIN' ELSE UH MIKE.

QQ. YOU SAID UH, LEE TOLD THE GUY THAT IF HE COOPERATED HE WOULDN'T BE HURT.

A. THAT'S WHAT LEE TOLD ME HE SAID. HE TOLD ME HE SAID THAT ...

QQ. YOU DIDN'T HEAR LEE TELL THE GUY THAT?

A. UN UN. THAT'S THE ONLY CONVERSATION WE HAD FOR ABOUT WHAT HE SAID TO THAT DUDE. AN' THE OTHER ONLY THING WE TALKED ABOUT WAS HOW HE UH, KILLED HIM.

Q. LET ME GO BACK, YOU MENTIONED BEFORE -- -- IS THAT LATER ON THEY FOUND SOME MORE CREDIT CARDS UNDER A TIRE IN THE TRUNK.

A. YEAH, WE WENT TO THE STORE, WE WENT TO THE STORE...

Q. WHO IS WE?

A. ME AN' LEE.

Q. YEAH IN THE TAURAS.

A. UH HUH.

Q. OKAY. WHAT DAY WAS THIS?

A. I THINK ON TUESDAY.

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